

SYLVESTER & POLEDNAK, LTD

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E-FILED September 27, 2006

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

<p>In re:</p> <p>USA COMMERCIAL MORTGAGE COMPANY (fka USA CAPITAL) Debtor.</p>	<p>Case No. BK-S-06-10725-LBR Case No. BK-S-06-10726-LBR Case No. BK-S-06-10727-LBR Case No. BK-S-06-10728-LBR Case No. BK-S-06-10729-LBR</p>
<p>In re:</p> <p>USA CAPITAL REALTY ADVISORS, LLC. Debtor.</p>	<p>Chapter 11</p> <p>Jointly Administered Under Case No. BK-S-06-10725-LBR</p>
<p>In re:</p> <p>USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC. Debtor.</p>	
<p>In re:</p> <p>USA CAPITAL FIRST TRUST DEED FUND, LLC. Debtor.</p>	<p><u>NOTICE OF HEARING RE: MOTION TO ENFORCE ORDER APPROVING DISTRIBUTION OF FUNDS</u></p>
<p>In re:</p> <p>USA SECURITIES, LLC. Debtor.</p>	
<p>Affects:</p> <p><input checked="" type="checkbox"/> All Debtors</p> <p><input type="checkbox"/> USA Commercial Mortgage Company</p> <p><input type="checkbox"/> USA Capital Realty Advisors, LLC</p> <p><input type="checkbox"/> USA Capital Diversified Trust Deed Fund, LLC</p> <p><input type="checkbox"/> USA Capital First Trust Deed Fund, LLC</p> <p><input type="checkbox"/> USA Securities, LLC</p>	<p>Hearing Date: November 13, 2006 Hearing Time: 9:30 a.m.</p>

NOTICE IS HEREBY GIVEN that a MOTION TO ENFORCE ORDER GRANTING
DISTRIBUTION OF FUNDS was filed on September 27, 2006, by Jeffrey R. Sylvester, Esq. of the

law firm of Sylvester & Polednak, Ltd.

A copy of the above-referenced Motion was filed with the Clerk of the United States Bankruptcy Court for the District of Nevada, 300 Las Vegas Boulevard South, Las Vegas, Nevada 89101 and is available upon request from the undersigned attorney.

Any Opposition must be filed and served pursuant to Local Rule 9014(e)(1), as clarified by Administrative Order #04-1, which reads as follows:

Except for motions made pursuant to Fed. R. Bank. P. 7056 and LR 7056, an opposition to a motion must be filed and service completed upon the movant not more than fifteen (15) days after service of the motion. If the hearing has been set on less than fifteen (15) days' notice, the opposition must be filed no later than five (5) business days prior to the hearing unless otherwise ordered by the court. The opposition must set forth all relevant facts and must contain a legal memorandum. An opposition may be supported by affidavits or declarations that conform to the provisions of LR 9014(d).

If an objection is not timely filed and served, the relief requested may be granted without a hearing. See, Admin. Order #04-1, clarifying LR 9014(a)(1) and LR 9014(c)(1)(E).

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the court. You must also serve your written response on the person who sent you this notice. If you do not file a written response with the court, or if you do not serve your written response on the person who sent you this notice, then:

- (a) The court may *refuse to allow you to speak* at the scheduled hearing; and
- (b) The court may *rule against you* without formally calling the matter at the hearing.

NOTICE IS FURTHER GIVEN that a hearing on said Motion will be held before a United States Bankruptcy Judge in the Foley Federal Building, 300 Las Vegas Boulevard South, Las Vegas, Nevada, Third Floor, Courtroom No. 1, on the **13th day of November, 2006**, at the hour of **9:30 a.m.**

NOTICE IS FURTHER GIVEN that this hearing may be continued from time to time without further notice except for the announcement of any adjourned dates and times at the above-noted hearing or any adjournment thereof.

DATED this 27th day of September, 2006.

SYLVESTER & POLEDNAK, LTD.

By: /s/ Jeffrey R. Sylvester
Jeffrey R. Sylvester, Esq.
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